

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
2ND COURT, PASCHIM MEDINIPUR
DESIGNATED SPECIAL COURT UNDER THE PROTECTION OF CHILDREN FROM
SEXUAL OFFENCES ACT, 2012**

**POCSO Case No.48/2024
R.No. 48/2024
CNR No. WBWM01-003768-2024**

**Order No.19
01.03.2025.**

Accused **1. Srimanta Hansda (24 years), 2. Kishan Murmu @ Debo (26 years), 3. Biswajit Hembram @ Ratha (24 years) and 4. Bijoy Murmu (22 years)** are produced from judicial custody.

Learned Special P.P. Mr. Samendu Parial and learned Advocate, Mr. Debasis Mukherjee and Mr. Md. Sarif Molla for the accused persons are present.

The case is taken up for consideration of charge.

Heard both sides.

Learned Public Prosecutor opens the prosecution case by describing the charges brought against the accused persons and stating by what evidence he proposes to prove the guilt of the accused persons.

Perused the materials on record.

After hearing the parties, considering the charge sheet and other materials on record, this Court is of the opinion that there is ground for presuming that the accused persons have committed the offences punishable under sections **342/506/34 of the Indian Penal Code and Section 6 of the POCSO Act read with Section 376D of the Indian Penal Code**. These offences are triable by this Court. The charges are framed on separate sheets and filed with the case record.

The substance of the charges are read over and explained to the accused persons in their mother tongue, Bengali and after hearing the contents of the charges they pleaded not guilty and claimed to be tried.

Bail petition filed by the accused persons namely **Kishan Murmu @ Debo (26 years) and Biswajit Hembram @ Ratha (24 years)** is taken up for hearing.

Learned defence counsel submits that the accused persons are in custody since 12.04.2024. They did not participate in committing the crime. There is no allegation of committing rape against them. They have been implicated in this case due to family dispute. They are innocent. They may be granted bail imposing any terms and conditions.

Learned Special Public Prosecutor raises objection and submits that it is case of gang rape.

There is no scope to segregate the conduct of the accused. Charges have been framed against them for committing gang aggravated penetrative sexual assault. It is not a fit case to admit the accused persons on bail. Their bail prayer is rejected.

The accused persons are remanded to J.C. till next date.

Fix **22.04.2025** for production and evidence of the victim girl.

Prosecution is to take steps.

Dictated & corrected by me,

Special Judge

Additional District & Sessions Judge,
2nd Court, Paschim Medinipur
Special Court under PoCSO Act.
J.O. Code No. WB00715